

DEPARTMENT OF THE NAVY
Office of the Secretary
Washington DC 20350-1000

SECNAVINST 5402.8E
SAL
5 April 1994

SECNAV INSTRUCTION 5402.8E

From: Secretary of the Navy
To: All Ships and Stations

Subj: ORDER OF SUCCESSION TO THE
DUTIES OF THE SECRETARY OF THE
NAVY

Ref: (a) Executive Order 12879 of 8 Nov 93

1. **Purpose.** To modify the order of succession to the duties of the Secretary of the Navy as authorized by reference (a)

2. **Cancellation.** SECNAVINST 5402.8D.

3. **Order of Succession.** In the event of the death, permanent disability, or resignation of the Secretary of the Navy, the incumbents holding the positions designated below, in the order indicated, shall act for and exercise the powers of the Secretary of the Navy:

a. The Under Secretary of the Navy.

b. The Assistant Secretaries and General Counsel of the Navy, in the order fixed by their length of service as permanent appointees in such positions.

c. The Chief of Naval Operations.

d. The Commandant of the Marine Corps.

4. **Temporary Absence.** In the event of the temporary absence or temporary disability of the Secretary of the Navy, the incumbents holding the Department of the Navy positions designated in paragraph 3, in the order indicated, shall act for and exercise the powers of the Secretary of the Navy.

a. In these instances, the designation of an Acting Secretary of the Navy applies only for the duration of the Secretary's absence or disability, and does not affect the authority of the Secretary to resume the powers of his office upon his return.

b. In the event that the Secretary of the Navy is merely absent from this position, the Secretary may continue to exercise the powers and fulfill the duties of his office during his absence, notwithstanding the provisions of reference (a).

5. **Precedence.** Precedence among those officers designated in paragraph 3 who have the same date of appointment shall be determined by the Secretary of the Navy at the time that such appointments are made.

6. **Restricted Succession.** Notwithstanding paragraphs 3 and 4, an officer shall not act for or exercise the powers of the Secretary of the Navy under reference (a) if that officer serves only in an acting capacity in the position that would otherwise entitle him to do so.

7. **Temporary "Acting" Authority.** Succession to act for and exercise the powers of the Secretary of the Navy under reference (a) shall be on a temporary or interim basis and shall not have the effect of vacating the statutory appointment held by the successor.

JOHN H. DALTON

Distribution:

SNDL Parts 1 and 2

MARCORPS Codes PCN 71000000000
and 71000000100

SECNAV/OPNAV Directives Control Office
Washington Navy Yard Building 200
901 M Street, SE
Washington DC 20374-5074 (20 copies)

Stocked:

Naval Aviation Supply Office

ASO Code 103

5801 Tabor Avenue

Philadelphia PA 19120-5099 (500 copies)

0579L00571380

